

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

L.E., by his next friends and parents,
**SHELLEY ESQUIVEL and MARIO
ESQUIVEL,**

Plaintiff,

v.

BILL LEE, et al.,

Defendants.

Case No. 3:21-cv-00835

Chief Judge Waverly D. Crenshaw Jr.
Magistrate Judge Alistair E. Newbern

SUPPLEMENTAL DECLARATION OF STELLA YARBROUGH

I, Stella Yarbrough, am an attorney for Plaintiff L.E., by his next friends and parents, Shelley Esquivel and Mario Esquivel, in the above-captioned matter. I submit, pursuant to 28 U.S.C. §1746, this supplemental declaration in opposition to Defendants' motions for summary judgment. I have personal knowledge of the facts in this declaration. If called upon to testify, I could competently testify to the matters set forth in this declaration.

Attached to this declaration are true and accurate copies of the below items. Where applicable, the numbered paragraph for a particular item indicates that the item has been excerpted.

1. A true and accurate copy of excerpts of the transcript of the Deposition of Donald Dodgen, dated July 28, 2022, is attached as Exhibit 1 to this Supplemental Declaration.
2. A true and accurate copy of email correspondence between Shelley Esquivel and John Bartlett, dated March 4 – March 5, 2021, produced as Attachment 1 of Plaintiff's

Responses to Defendant Knox County Board of Education's First Set of Interrogatories and Bates stamped TNLE00000017-18, is attached as Exhibit 2 to this Supplemental Declaration.

3. A true and accurate copy of Tennessee State Board of Education Rule 0520-01-23, October 2022 (revised), is attached as Exhibit 3 to this Supplemental Declaration.

4. I have reviewed the video recording of the Tennessee House K-12 Subcommittee Hearing dated February 9, 2021, which is available at <https://tinyurl.com/5633tyrc>. At 45:50, a person identified as Rep. Michele Carringer states, "I was born a girl, they were born a boy. And from my religious background, I mean, I believe that's how it is. God made men and women and there was a reason why we were created differently."

5. I have reviewed the video recording of the Tennessee Senate Floor Session Hearing dated March 1, 2021, which is available at <https://tinyurl.com/5y53n95d>. At 51:10, a person identified as Sen. Paul Rose states, "So God created man in His own image, an image of God created He him, male and female created He them."

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 4, 2022



Stella Yarbrough (No. 33637)
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF TENNESSEE
P.O. Box 120160
Nashville, TN 37212
Tel: (615) 320-7142
syarbrough@aclu-tn.org